

Benjamin K. Riley (SBN 112007)
Helen C. MacLeod (SBN 206618)

HOWREY LLP

525 Market Street, Suite 3600
San Francisco, California 94105
Telephone: (415) 848-4900
Facsimile: (415) 848-4999

Stephen D. Libowsky (*pro hac vice* to be submitted)

HOWREY LLP

321 North Clark Street, Suite 3400
Chicago, IL 60610
Telephone: (312) 595-1239
Facsimile: (312) 595-2250

Attorneys for Defendant

ENTERPRISE TRUST COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RUTHE P. GOMEZ,

Plaintiff,

vs.

TRADERIGHT CORP. d/b/a TRADERIGHT
SECURITIES, INC., ENTERPRISE TRUST
COMPANY, and LOCKE HAVEN, LLC,

Defendants.

Case No. CV 08-0266 (WDB)

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO FILE RESPONSE
TO COMPLAINT**

Case No. CV 08-0266 (WDB)
STIPULATION AND [PROPOSED] ORDER EXTENDING
TIME TO FILE RESPONSE TO COMPLAINT

DM_US:21086820_1

Pursuant to Local Rule 6-2, Plaintiff Ruthe P. Gomez, on the one hand, and Defendants Enterprise Trust Company ("Enterprise Trust") and TradeRight Corporation ("TradeRight"), on the other hand, by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, Ms. Gomez initiated this action in the Superior Court of the State of California in the County of Alameda (Case No. RG 07362098) on or about December 19, 2007;

WHEREAS, Enterprise Trust removed this action to this Court on or about January 15, 2008;

WHEREAS, on January 16, 2008, TradeRight filed its joinder in Enterprise Trust's removal of this action to this Court;

WHEREAS, Ms. Gomez seeks, by this action, to transfer her trust accounts from Enterprise Trust to A.G. Edwards & Sons or other custodians;

WHEREAS, on January 23, 2008, the parties filed a Stipulation to extend time for Enterprise Trust and TradeRight to respond to the Complaint by approximately ten days, until Friday, February 15, and this Court approved that Stipulation on January 25, 2008 (Dkt. No. 7);

WHEREAS, on February 12, 2008, the parties filed a second Stipulation to extend time for Enterprise Trust and TradeRight to respond to the Complaint by four weeks, until Friday, March 14, and this Court approved that Stipulation on February 12, 2008 (Dkt. No. 11);

WHEREAS, the Initial Case Management Conference in this action is set for April 23, 2008;

WHEREAS, no discovery has yet occurred;

WHEREAS, other than the one ten-day extension and one four-week extension referenced above, no other time modifications have been made in this action, whether by stipulation or by Court order;

WHEREAS, on March 14, 2008, counsel for Defendant Enterprise Trust Company will file a Motion to Withdraw Appearance in this case;

WHEREAS, Defendant Enterprise Trust Company may retain substitute counsel should the Motion to Withdraw Appearance be granted;

WHEREAS, this stipulated time modification will not have any effect on the schedule for this action;

1 NOW THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned, that

2 1. The time for Enterprise Trust and TradeRight to file a pleading responsive to the
3 Complaint is extended up to and including March 28, 2008.

4 Dated: March 13, 2008

Respectfully submitted,

5 **HOWREY LLP**

6
7 By: /s/ Benjamin K. Riley
8 Benjamin K. Riley
9 Attorneys for Defendant
ENTERPRISE TRUST COMPANY

10 Dated: March 13, 2008

Respectfully submitted,

11 **GATTEY LAW OFFICES**

12
13 By: /s./ Scott D. Gattey
14 Scott D. Gattey
15 Attorneys for Defendant
16 TRADERIGHT CORP., d/b/a
TRADERIGHT SECURITIES, INC.

17 Dated: March 13, 2008

Respectfully submitted,

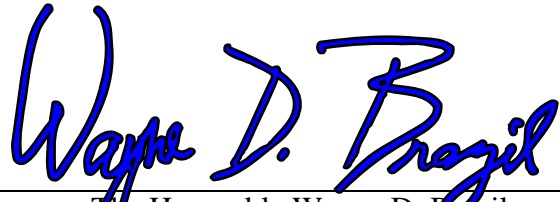
18 **BALDWIN LAW GROUP**

19
20 By: /s/ Patrick Baldwin
21 Patrick Baldwin
22 Attorneys for Plaintiff
23 RUTHE P. GOMEZ
24
25
26
27
28

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the time for Enterprise Trust and TradeRight to file a pleading responsive to the Complaint is extended up to and including March 28, 2008.

Dated: March ¹⁴ __, 2008



The Honorable Wayne D. Brazil
United States Magistrate Judge

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, of the United States District Court for the Northern District of California, the undersigned attests that all parties have concurred in the electronic filing of this Stipulation and [Proposed] Order.

Dated: March 13, 2008

Respectfully submitted,

HOWREY LLP

By: /s/ Benjamin K. Riley
Benjamin K. Riley
Attorneys for Defendant
ENTERPRISE TRUST COMPANY